

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CORNEL JACKSON,

Plaintiff,

v.

KHALIB, et al.,

Defendants.

Case No. 1:20-cv-01567-KES-SKO (PC)

**ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE
IMPOSED FOR FAILURE TO FILE
DISPOSITIONAL DOCUMENTS
REGARDING SETTLEMENT**

I. INTRODUCTION

A settlement conference was held in this matter before Magistrate Judge Erica P. Grosjean on September 26, 2023. (*See* Doc. 48.) The parties reached a settlement, the terms and conditions were set forth on the record, and dispositional documents were ordered to be filed within 60 days. (*Id.*)

On October 30, 2023, Plaintiff filed a document titled “Notice of Rejection of Settlement Agreement as Submitted by Defendants,” purporting to rescind the settlement agreement. (Doc. 41.) Defendants replied to Plaintiff’s filing the following day. (Doc. 42.)

On January 9, 2024, Judge Grosjean issued Findings and Recommendations to Deny Plaintiff’s Motion to Rescind the Settlement Agreement. (Doc. 50.) On February 27, 2024, Chief

Judge Kimberly J. Mueller¹ issued an Order Adopting Findings and Recommendations to Deny Plaintiff's Motion to Rescind the Settlement Agreement. (Doc. 54.) Judge Mueller's order stated: "The settlement is effective on this date and all deadlines in the agreement shall run from the date of this order." (*Id.* at 2.)

II. DISCUSSION AND ORDER

Immediately following the settlement conference of September 26, 2023, Judge Grosjean ordered that "dispositional documents be filed in 60 days." (Doc. 48 at 5.) Although subsequent proceedings have delayed the settlement in this action, Judge Mueller's February 27, 2024, Order Adopting the Findings and Recommendations effectively reimposed the deadline for the filing of dispositional documents. (Doc. 54 at 2.) Thus, dispositional documents were to be filed no later than April 29, 2024.² Plaintiff's motion to rescind the settlement agreement was denied and more than 60 days have passed, but the dispositional documents remain outstanding.

Accordingly, **IT IS HEREBY ORDERED** that Defendants SHALL show cause in writing, **within seven (7) days** of the date of this order, why sanctions should not be imposed the parties' failure to comply with Judge Grosjean's order concerning the filing of dispositional documents and Judge Mueller's February 27, 2024, order reimposing deadlines following settlement of this action. Alternatively, Defendants may file the dispositional documents within that same period.

IT IS SO ORDERED.

Dated: April 30, 2024

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ On that date, this action was assigned to the "NODJ" docket. It was subsequently reassigned to District Judge Kirk E. Sherriff on March 14, 2024.

² 2/27/2024 + 60 days = 4/27/2024. Because April 27, 2024, fell on a Saturday, the documents were due no later than Monday, April 29, 2024.